

No. 25-1787

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

JOHN DOE,
through his parents and next friends JIM DOE and JANE DOE
Plaintiff-Appellant,

v.

STATE OF SOUTH CAROLINA, *et al.*,
Defendant-Appellees.

On Appeal from the United States District Court
for the District of South Carolina
Case No. 2:24-cv-06510
The Honorable Richard M. Gergel

**MOTION OF PLAINTIFF-APPELLANT JOHN DOE
FOR EXTENSION OF THE BRIEFING SCHEDULE**

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Plaintiff-Appellant John Doe requests a one-week extension of time to file his opening brief and the appendix, currently due in two days, and a commensurate extension of the deadline for Defendant-Appellees to file their response brief. Defendant-Appellees do not oppose this request.

John's opening brief and the appendix are currently due on August 20, 2025. The government's response is due on September 19, 2025. The proposed extension would set the deadlines as follows:

Joint Appendix: August 27, 2025

Opening Brief: August 27, 2025

Response Brief: September 26, 2025

Reply Brief: Within 21 days of service of response brief.

The extension would allow John time to revise his opening brief to address the implications of this court's August 15, 2025 opinion granting John's motion for an injunction pending appeal and denying the government's motion to dismiss for lack of jurisdiction. *See ECF No. 43.* The court's opinion addresses issues central to this appeal, including John's likelihood of success on the merits of his claims, irreparable harm, and the balance of equities. *See id.* at 16-18. It also addresses John's standing and the court's jurisdiction over this appeal. *See id.* at 7-15.

John requires more time to incorporate discussion of the court's analysis and finalize his opening brief due to conflicting travel and commitments of appellate counsel. John's lead appellate counsel is traveling internationally until August 22, and the attorney leading the appeal in her stead must prepare a response to an emergency motion for a stay pending appeal in *Victim Rights Law Center v. United States Department of Education*, No. 25-1787 (1st Cir.), by August 25, 2025, at 5pm.

Although John previously filed a motion to expedite this appeal, the court's decision to grant his motion for an injunction pending appeal takes away, for John, much of the urgency that motivated his request for an accelerated schedule. *See* ECF No. 43 at 20. And a one-week extension will not prejudice the government, which does not oppose this request.

Accordingly, John respectfully requests that the court extend the briefing schedule by one week.

August 18, 2025

Respectfully submitted,

/s/ Sean Ouellette

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CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume limitation of Federal Rule of Appellate Procedure 27(d)(2)(a) because it contains 342 words. This motion complies with the typeface and typeset requirements of Federal Rule of Appellate Procedure 27(d)(1)(E) because this brief has been prepared in a proportionally spaced typeface using Microsoft Office 365 in 14-point Century Schoolbook font.

Dated: August 18, 2025

/s/ Sean Ouellette

Sean Ouellette

Counsel for Plaintiff-Appellant